

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Abingdon Division

JAMES WOOD,

Plaintiff,

V.

BRISTOL VIRGINIA UTILITY
AUTHORITY,

Defendant.

Case No. 1:22cv18

MOTION TO DISMISS COUNT V
FOR LACK OF SUBJECT MATTER JURISDICTION

Defendant, BVU Authority, incorrectly sued herein as Bristol Virginia Utility Authority, by counsel, submits this motion to dismiss Count V for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and states that the Complaint fails to state a claim for the reasons stated in the accompanying memorandum of law.

Respectfully submitted,

BVU AUTHORITY (incorrectly sued
 herein as BRISTOL VIRGINIA
 UTILITY AUTHORITY)

/s/ Jennifer D. Royer
Of Counsel

Jennifer D. Royer, Esq. (VSB # 68099)
ROYER LAW FIRM, P.C.
PO Box 4525

Roanoke, Virginia 24015
540.788.2892 Telephone
540.675.4093 Facsimile
jroyer@royerlawfirm.com
Counsel for Defendant

CERTIFICATE

I hereby certify that on the ____ day of _____, 2023, I have electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Thomas E. Strelka, Esq.
L. Leigh R. Strelka, Esq.
N. Winston West, Esq.
Brittany M. Haddox, Esq.
Monica L. Mroz, Esq.
STRELKA EMPLOYMENT LAW
119 Norfolk Avenue, SW, Suite 330
Roanoke, Virginia 24011

/s/ Jennifer D. Royer
Jennifer D. Royer, Esq. (VSB # 68099)
ROYER LAW FIRM, P.C.
PO Box 4525
Roanoke, Virginia 24015
540.788.2892 Telephone
540.675.4093 Facsimile
jroyer@royerlawfirm.com
Counsel for Defendant